

CHAPTER 6 IMPLEMENTING COMMUNITY INVOLVEMENT IN REMOVAL ACTIONS

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INTRODUCTION

This chapter presents a comprehensive discussion of how a Site Team should implement early and meaningful community involvement during removal actions. Removals are short-term responses to immediate threats to human health or the environment. Since removals vary in their duration, they present unique community involvement challenges and opportunities. The type and frequency of community involvement activities will vary with the length and urgency of the removal action. Consequently, the community involvement approach for a removal action should be flexible and responsive to changing site conditions and to the needs of the surrounding community.

“Be visible and available. Seek out opportunities to meet with community members during their normal activities. Always find the time to answer questions and listen to concerns.”

Paul Groulx, OSC, Region 1

In this chapter, community involvement approaches and methods are discussed for three types of removal actions: emergency responses, time-critical removals, and non-time-critical removals. The unique community involvement approach for each type of removal action is discussed in detail. Required community involvement activities, as well as recommended activities, are presented, as is a discussion of the community involvement challenges and opportunities posed by removal actions. The chapter begins with an overview of Superfund removal actions and planning tips for conducting community involvement and outreach during removal actions. A variety of community involvement activities and suggestions and the rationale for conducting them are presented throughout the chapter. Details about each activity are provided in the *Community Involvement Toolkit*.

ABOUT SUPERFUND REMOVAL ACTIONS

Removal actions are characterized by their urgency and duration. There are three basic types of removals:

- 1) **Emergency Responses** are short-term (one-day to three months) actions requiring the immediate removal of hazardous materials to protect human health and the environment. Typical emergency responses address imminent threats, such as fires, explosions, or toxic spills. Communications focus on quickly disseminating information to warn of the potential threats and explain the protective measures EPA is taking.
- 2) **Time-Critical Removals** are situations where EPA must begin cleanup activities within six months of discovery of hazardous materials to protect public health and safety. Community involvement and outreach activities are similar to emergency responses, although more time usually is available to plan outreach activities.
- 3) **Non-Time-Critical Removals** occur when EPA determines that a removal action is appropriate and the situation allows EPA a planning period of six months or more prior to the beginning of removal activities at the site. These sites do not present an immediate threat to public health or safety. In non-time-critical removals, EPA must complete an Engineering Evaluation and Cost Analysis (EE/CA) that describes the cleanup and approach. Because of the longer time frame, the community involvement and outreach activities are similar to those performed for remedial actions.

Even though the response time varies according to the type of removal, the key is developing a successful outreach plan for the situation. Early and continued community involvement and outreach—particularly for non-time-critical removal actions—will help promote community acceptance of the cleanup solution and may

prevent or substantially reduce conflict with the community or other stakeholders as the process proceeds.

Roles and Responsibilities

The On-Scene Coordinator (OSC) is responsible for all response activities conducted during a removal action, including non-technical activities such as communications, public outreach, and community involvement. The OSC can delegate these responsibilities to another OSC, a Community Involvement Coordinator (CIC), or other response agency personnel. Regardless of who performs these functions, outreach, media relations, and community involvement activities are important and necessary elements of a successful cleanup conducted under removal authority.

Since the OSC is responsible for all site activities, he or she must decide early in the response whether additional communications support and expertise are needed. This decision should be based upon the complexity and expected duration of the removal action and the interest of the community and the media. The OSC also relies on advice and support from the CIC or Regional press office when making decisions concerning media relations and public outreach.

The CIC plays an important role in a removal action. The role of the CIC in any type of removal action is to support the OSC and serve as a communications and outreach advisor. The OSC depends on the CIC's expertise and capabilities for developing and implementing a communication strategy for the removal action. This reliance on the CIC by the OSC requires the CIC to quickly gain an understanding of community concerns and the media's needs during a removal action and to develop a strategic plan to address the communication/outreach needs. The CIC advises the OSC of the communication/outreach issues and the proposed communications plan. After this consultation, the CIC coordinates with the OSC to implement the communications plan.

Communications and outreach work best when the OSC and the CIC work as a team to manage all community involvement activities, including community outreach, media relations, coordination with stakeholders, and information dissemination. A teaming arrangement allows the OSC to focus on the technical issues concerning the response while the CIC focuses on the communication and outreach issues. In this arrangement, the OSC coordinates with the CIC to identify key messages or technical issues that need to be disseminated to the media or the surrounding community. The OSC also keeps the CIC informed of technical cleanup activities so that the CIC can knowledgeably respond to questions from the media or the community. The CIC advises the OSC of key concerns of the media and community and suggests approaches for addressing those concerns.

Planning for Communications/Outreach During Removal Actions

Once a removal action begins, the OSC and the support team helping with communications should be prepared to implement a variety of communication and outreach activities quickly to meet the needs of the community and other stakeholders. To improve this capability, the EPA removal Site Team should plan and prepare for communications prior to removal actions. Provided below are several suggestions for planning and preparing for a removal action:

- Develop a "Response Communications Toolkit" for emergency and time-critical responses. The Toolkit should include: electronic templates of press releases and fact sheets that explain EPA's role in responding to the situation; checklists of activities to perform at the incident; tips for dealing with the media; and lists of contacts in the media and other response organizations. The Toolkit also should include a list of equipment and materials

needed for a field office, such as a laptop computer, portable printer, printing paper, notepads, pens, tape, stapler, folders, telephone equipment, fax machine, and other basic office equipment and materials.

- Establish a network of contacts in the response community at the local, state, and federal level. In medium and large emergency response situations, all three governmental levels will be involved in the response.
- Develop templates of communication strategies to facilitate identification of key audiences, messages, and communication approaches and methods.
- Define roles and responsibilities of all response personnel who will conduct communication and outreach activities. Understanding the roles of each individual prior to the incident will improve teamwork and coordination during the incident.
- Participate in training and desktop exercises to improve coordination pertaining to communications and outreach.
- Become familiar with the Joint Information Center (JIC) model for coordinating communications during multi-agency responses (See the text box on page 54).
- Develop fact sheets for each type of removal action and fact sheet templates that can be modified to address site-specific and community needs.

How to Conduct Community Involvement/Outreach During Removal Actions

The approach for conducting community involvement and outreach at removal actions depends on the severity and the duration of the particular response. In all removal actions, certain activities are required by the National Contingency Plan (NCP). The number of required activities increases with the duration of the response action

(see the summary of the required activities in the Appendix). Experience has shown that meeting the minimum requirements often is insufficient to adequately meet the community's needs and concerns. Performing the minimum communication/outreach activities can be sufficient at some sites; however, at most sites much more needs to be done. The OSC, with advice from the Site Team, determines the extent of community outreach and involvement needed for the particular response. This determination is best made by conducting an analysis of the communication needs for the specific removal action. Such a determination can be accomplished through a communications strategy.

A communication strategy is critical to a successful outreach effort during removals (see the [Communication Strategy](#) tool in the *Toolkit*). A communication strategy answers four key questions: 1) Who are the individuals and organizations impacted by the removal action (i.e., the audience)? 2) What are the key communication issues, such as a community's needs and concerns? 3) What are the key messages EPA needs to convey to the public? and 4) Which techniques or activities are most appropriate to meet the community's needs or to convey EPA's message? These questions need to be answered before any communications or outreach activity is conducted. These answers can be derived informally through a discussion among Site Team members or formally in a written document. For an emergency response, a discussion typically suffices, given the time constraints.

For time-critical and non-time-critical responses, a formal document, such as a Community Involvement Plan (CIP), is more appropriate. A Community Involvement Plan is required for removals that require more than six months.

No single approach works for all sites or situations. The Site Team should be flexible and willing to adjust the communication approach and strategy. Regardless of the general communication strategy and the particular outreach

Most removal actions are relatively small in scope and limited to EPA or one other state or federal agency. In these cases, the OSC can manage the coordination of communications and outreach. However, some removal actions involve multiple public or private agencies and organizations. For these occasions, the OSC should consider establishing a Joint Information Center (JIC).

A JIC is a centralized communications hub designed to coordinate communications so that timely, useful, and accurate information can be provided to the public and media. The purpose of the JIC is to gather incident data, analyze public perceptions of the response, and inform the public. Representatives from response agencies are assigned specific functions and tasks to manage information flow and outreach during the incident. The JIC structure works equally well for large or small situations and can expand or contract in size to meet the specific needs of the incident.

Through a JIC, response agencies can work together and speak with a single voice. By maintaining a centralized communication facility, resources are better managed, the issuance of mixed messages is reduced, and duplication of effort is minimized. Use of a JIC allows for tracking and maintaining records and information more accurately.

Additional information on establishing a JIC is available in a National Response Team (NRT) document, Joint Information Center Model: Collaborative Communications During Emergency Response.

activity, there are simple principles that make an outreach program successful. These include:

- Be available and accessible. Accessibility to the community is critical to establishing EPA as the leader of a removal action. The OSC or the Site Team must anticipate and respond to the fear, confusion, and concerns of the community. Being available to answer questions or listen to concerns helps to address the immediate insecurities and fears felt by many community members. Accessibility also increases the community's familiarity with EPA and the Site Team, which ultimately increases comfort level and reduces fear.
- Respond quickly to community questions, concerns, and needs. Responding quickly increases the community's trust and confidence in EPA and the Site Team. Conversely, responding slowly, or not at all, increases the community's fear and leads to mistrust. If time is needed to respond to a request from a stakeholder, explain when an answer will be provided. Always follow up by explaining what has or has not been done to address the person's concern, even if the news is bad. A person that does not hear back from EPA will assume that he or she is being ignored.
- Be honest and open. Never lie or be misleading. A community that learns that EPA staff has been misleading will not believe EPA in the future and will question every decision EPA makes. If an answer is not known, say, "I don't know but will find out." Once an answer is in hand, follow up should be immediate.
- Educate the impacted community about the Superfund program, both in terms of what is possible and not possible. This education will help to manage expectations. If people understand that EPA is prohibited legally from doing something, they will not expect EPA to do it. Conversely, if they do not understand what cannot be done under the Superfund program, they will wonder why it is not being done.

- Empathize with community members or other stakeholders. Listen to people, be concerned, and treat people as you would like to be treated if you found yourself in similar circumstances.
- Be creative and imaginative, particularly when designing or implementing outreach activities. Design activities to meet community needs.
- Recognize that impacted citizens can be a source of help to EPA. Local residents/business owners often know what has occurred at a site and can share this information with EPA. However, EPA needs to ask questions or encourage people to provide the information. Also, local residents can help disseminate information throughout the community.

Adopting these attitudes and principles helps to establish a relationship of mutual respect and trust with the community. Although stakeholders may disagree with specific EPA decisions, they are more likely to understand and accept the decisions if they trust EPA and believe the decision-making process is fair and considers their input.

When an OSC does an initial site assessment at a potential removal site and determines the site probably will require a removal action of more than six months, the OSC or CIC should consider canvassing the area and coordinating meetings with local public officials and the media. This can be an opportunity to gain a better understanding of community concerns and to explain EPA's emergency response and removal program. This early involvement helps to build a relationship with the community, and is particularly important if the site becomes a non-time-critical removal or a remedial action after a time-critical removal. A well-informed community familiar with EPA and its programs will be less skeptical of EPA decisions made during for the longer-term cleanup.

"Take the time to anticipate public concerns and likely reactions and develop effective involvement strategies."

Andy Bain, CIC, Region 9

COMMUNITY INVOLVEMENT/ OUTREACH DURING EMERGENCY RESPONSES

By definition, an emergency is an unforeseen event that requires immediate action. For EPA and the OSC, the initial focus of a response action is to eliminate the immediate threat or potential threat. Equally important is communicating with the impacted community to inform them of events and to respond to questions. During an emergency response, EPA needs to give the public prompt, accurate information on the nature of the release or threat of release and the actions to mitigate the threat.

Emergency responses are designed to address imminent threats such as fires, explosions, toxic spills or any other immediate threat to public health and the environment. They typically involve:

- Evacuating or temporarily relocating people to remove them from direct harm;
- Stabilizing or detonating flammable or explosive hazardous materials;
- Providing site security by posting signs, erecting fences, or posting guards;
- Providing an alternative water supply, such as bottled water; and
- Treating, storing, or disposing of hazardous substances, such as controlling drainage, stabilizing berms, draining lagoons, capping soils or sludge, excavating and removing contaminated soil, removing drums and other containers, or using chemical stabilizers.

The OSC is authorized to take whatever steps are necessary to protect the surrounding community. This authority includes informing the media and the community of the emergency and the response plans. The NCP requires EPA to inform the community and to designate a spokesperson during an emergency response. The OSC can

serve as the spokesperson or that responsibility can be delegated to a CIC or other qualified field personnel. This decision should be made early in the response, as soon as the OSC has determined the potential communication needs for the response. For multi-agency or complicated responses, the OSC should consider establishing a Joint Information Center (JIC) to handle communications and outreach.

Community involvement and public outreach during an emergency present many challenges because of the time constraints and hectic nature of the response, the potential involvement of multiple agencies and organizations, and the limited availability of resources. There is often no pre-planning period. Regardless, successful community involvement and public outreach can be planned and implemented during emergencies. See the section below entitled, “Community Involvement During Time-Critical and Non-Time-Critical Removal Actions,” for planning ideas and approaches that can be applied to emergency response.

From the perspectives of surrounding residents and business owners, an emergency response is a potential threat to their health, family, and property, and a significant disruption to their daily routine and life. Consequently, local residents and others impacted by the emergency will be fearful, feel powerless, and possibly be outraged. These concerns and feelings must be addressed by the OSC or the Site Team. Providing frequent and timely information about the emergency response and how it will impact residents helps to alleviate some of these concerns. In most cases, information about individual sample results and health issues should be disseminated directly to individuals. General information can be disseminated through public meetings, telephone calls, door-to-door visits, or leaflets. In rare cases, critical information can be disseminated quickly through the media. The more personal the approach, the more comfortable people will become with the situation and

with EPA. The exception to this rule is if people are in immediate danger. In such cases, all communication avenues should be used, including the media, door-to-door notification, radio announcements, or any emergency response notification procedures used by local authorities.

Provided below are specific activities and approaches that can be used to plan or conduct community involvement and outreach activities during an emergency response.

OUTREACH ACTIVITIES DURING EMERGENCY RESPONSE

At a minimum, the Site Team needs to perform three activities required by the NCP:

- 1) **Designate an Agency spokesperson.** In a timely manner, this representative must inform the community of actions taken, respond to inquiries, and provide information concerning the release of hazardous substances.
- 2) **Notify affected citizens.** The spokesperson must promptly notify the citizens immediately affected by the release, as well as state and local officials, and when appropriate, civil defense or emergency management agencies.
- 3) **Establish an administrative record.** Staff must establish an administrative record containing documents that form the basis for selecting the response action. The administrative record must be available for public review. Staff must notify the public of the availability of the administrative record by publishing an announcement in a major newspaper of general circulation. For emergency responses lasting less than 30 days, placement of the administrative record file in one central location fulfills statutory requirements.

The role of the agency spokesperson can be filled by the lead OSC, a CIC, another OSC, or any qualified field staff (see the [Spokesperson](#) tool in the *Toolkit*). During complex, multi-agency responses, the OSC should consider establishing a JIC to coordinate the release of information to

the public through the media (see the [Media](#) tool in the *Toolkit*).

The activities required by the NCP typically are insufficient for informing the media, the public, and interested stakeholders during an emergency response. Many other options should be considered by the Site Team. Some of these options are:

- Designate a communications lead, such as a CIC, to advise the OSC on community involvement issues and assist the OSC with the media.
- Canvass the neighborhood to identify residents' needs, fears, and concerns.
- Formulate a quick communication strategy and implement the approach and activities accordingly.
- Coordinate with Regional EPA staff to brief them about the response and to ask for assistance, if necessary. Specifically, contact the Regional Press Office, Office of Congressional Liaison, other OSCs and CICs, public affairs, and state contacts.
- Disseminate information to the media through interviews, press briefings, and news releases. Also see Chapter 7, "Dealing with the Media," in this *Handbook*. Prepare key messages for interactions with the media. If no information is available, tell the media that information will be disseminated as soon as accurate information becomes available. For press briefings and interviews, identify a facility (tent, office, trailer), schedule the briefing/interview, and notify the press of the time and location (see the [Media](#) tool in the *Toolkit*).
- Distribute photographs. Take photographs or use available photographs, maps, or aerial photographs. These images can be distributed to the media and the public, used to document the response, or placed in fact sheets. This will help satisfy the media's and public's need for official information about the emergency (see the [Maps, and Aerial Photographs](#) tool in the *Toolkit*).

COMMUNITY INVOLVEMENT REQUIREMENTS FOR EMERGENCY RESPONSES AND REMOVAL ACTIONS				
Activity	Type of Action Emergency Response (On-site activity lasts less than 30 days)	Time Critical Removal (On-site activity lasts less than 120 days)	Time Critical Removal (On-site activity lasts more than 120 days)	Non-Time Critical Removal
Designate an Agency spokesperson	✓	✓	✓	✓
Notify affected citizens	✓	✓	✓	✓
Establish an administrative record	✓	✓	✓	✓
Publish a notice of availability of the administrative record		✓	✓	✓
Hold a public comment period		✓	✓	✓
Respond to public comments (prepare a responsiveness summary)		✓	✓	✓
Establish an information repository			✓	✓
Publish a notice of availability of the information repository			✓	✓
Conduct community interviews			✓	✓
Prepare a Community Involvement Plan			✓	✓
Publish a notice of availability and a brief description of the EE/CA				✓

- Distribute regular **Facts Sheets** to let residents know about EPA’s emergency response activities. Use existing fact sheets on the removal program, toxic spills, EPA’s emergency response program and other topics. Develop new site-specific fact sheets using templates developed for emergency response situations (see the [Fact Sheets](#) tool in the *Toolkit*).
- Publicize and host **Public Meetings** to deliver information to a large group of people, to let community members voice their concerns, and to foster interaction between the Site Team and the community (see the [Public Meetings](#) tool in the *Toolkit*).
- Establish a local or toll-free **Telephone** hotline and publicize its availability. The hotline can be constantly manned to respond immediately to questions, play taped announcements that provide current updates on site activities, or permit callers to leave messages or ask questions (see the [Telephone](#) tool in the *Toolkit*).
- Be prepared to expand the community involvement and outreach program when local residents need to be temporarily evacuated or relocated to protect them from potential harm. (see the [Residential Relocation](#) tool in the *Toolkit* and Chapter 9, “Community Involvement Activities During Residential Relocation,” in this *Handbook*).
- Determine community demographics and, if necessary, translate documents or radio public service announcements into appropriate languages (see the [Translation Services](#) tool in the *Toolkit*).
- Develop a risk communication approach that meets the needs of the community (see the [Risk Communication](#) tool in the *Toolkit* and

“Ask for help. If you sincerely seek information or support from a community, you will almost always get something worthwhile.”
Donn Walters, CIC, Region 6

Chapter 3, “Risk Communication,” in this *Handbook*). Emergency responses require skilled risk communication and a willingness to work with frightened residents and the media.

COMMUNITY INVOLVEMENT/ OUTREACH DURING TIME- CRITICAL AND NON-TIME- CRITICAL REMOVAL ACTIONS

Since both time-critical and non-time-critical removals have longer planning periods than emergency response actions, more planning may be devoted to community involvement and outreach activities. Additional activities are required by the NCP, and supplemental activities may be needed to adequately address community concerns and needs. Although there are differences between community involvement and outreach approaches and activities for time-critical and non-time-critical removals, the differences are due primarily to regulatory requirements. Supplemental activities and the rationale for conducting these activities at each type of removal action are identical. The specific requirements for each type of removal action are listed in the chart on page 55.

In time-critical and non-time-critical removal actions, EPA should perform outreach and other community involvement activities as early as possible. For example, the OSC, preferably with a CIC, could meet with local officials, media, and residents during the initial site assessment to explain EPA’s removal program. Early involvement builds trust with the community and provides an opportunity for EPA to explain the removal process. If the site is subject to a non-time-critical removal or remedial action, a well-informed community will be more supportive of EPA’s role as longer-term work continues.

The longer the removal action takes, the more important it is to communicate and involve the community. This communication can be done through many different activities. The important

thing is to match the method with the situation so that the purpose of the activity is met, whether it is conveying information about the incident, soliciting information about the site, or providing training/educational materials about the Superfund program and process.

Time-Critical Removals

A removal is time-critical when EPA has determined that there is no immediate emergency and a removal must begin in less than six months to prevent the situation at the site from becoming an emergency. Although time-critical removals are almost as urgent as emergency responses, they provide more time for planning and conducting removal activities. The NCP requires specific community involvement activities during time-critical removals.

The NCP (at 40 CFR 300.415(n)(2) and (3)) divides time-critical removals into two sets of community involvement requirements (see the table on page 55). The first set of applies when less than six months exist before the removal must begin. When less than six months exist before removal initiation, the NCP lists community involvement requirements that are similar to those implemented during emergency response.

The second set applies when EPA determines that the time-critical removal action will extend beyond 120 days from the initiation of on-site response activities. Because there is more time, the NCP adds more community involvement requirements. The community involvement requirements and recommendations for both sets of time-critical removals are described below.

Non-Time-Critical Removals

A non-time-critical removal occurs when EPA determines that a removal action is appropriate and there is time for at least a six month planning period prior to when the removal must start. The Site Team must complete an Engineering Evaluation and Cost Analysis (EE/CA) for non-time-critical removals. The EE/CA is similar to a

At a site where an emergency response was underway, EPA discovered a corroded tank of anhydrous hydrofluoric acid (HF) releasing vapors. This discovery required evacuation of about 400 residents while the HF was transferred from the storage tank. The Site Team agreed that early and frequent coordination with local officials and citizens was essential. Their proactive coordination efforts were richly rewarded: EPA gained added information about the plant from people who had worked there when it was active, and the local government coordinated much of the support for the HF transfer.

A coordination and planning group that included staff from EPA, local government, the state and other federal agencies, met regularly to plan the evacuation. The OSC reported that the group coordinated much of the time-consuming logistical work required for the evacuation.

The group did not rely on newspaper notices and fact sheets to keep the community informed. Instead, local fire and police personnel went door-to-door in the evacuation area, handing out flyers, explaining the situation, reassuring residents, and delivering details about safety plans. Local ministers kept their congregations updated on the situation.

EPA and state and local agencies conducted a public meeting two weeks before the evacuation. Turnout was large, but residents were not anxious or upset. The meeting proceeded in an orderly, cooperative manner, and was broadcast by a local TV station. Although the evacuation itself was stressful, it proceeded smoothly, with the community coming together in support of EPA.

“Tremendous gains can be achieved by partnering with community leaders to engage the public.”

Noemi Emeric, CIC, Region 5

Remedial Investigation/Feasibility Study, except that it is shorter and less formal. The EE/CA is an important milestone for community outreach activities because several of the NCP’s community involvement requirements hinge upon the timing of the EE/CA. The next section provides a complete description of these requirements.

OUTREACH ACTIVITIES FOR TIME-CRITICAL AND NON-TIME-CRITICAL REMOVALS

The initial communication/outreach activities conducted during time-critical and non-time-critical removal actions vary according to the urgency of the response and the needs of the impacted community. The NCP requires EPA to perform several activities for time-critical and non-time-critical removal actions.

The NCP lists the following required activities for all time-critical and non-time-critical responses:

- **Designate an Agency spokesperson.** In a timely manner, this representative must inform the community of actions taken, respond to inquiries, and provide information concerning the release of hazardous substances.
- **Notify affected citizens.** The spokesperson must notify promptly the citizens immediately affected by the release, as well as state and local officials, and when appropriate, civil defense or emergency management agencies.
- **Establish an administrative record.** The Site Team must establish an administrative record containing documents that support the selection of the response action. For time-critical and non-time-critical removals, the administrative record must be available at both a central location and at or near the site (see the [Information Repository](#) tool in the *Toolkit*).

- **Publish a notice of availability of the administrative record.** The Site Team must notify the public of the availability of the administrative record within 60 days of the initiation of on-site removal activity by publishing an announcement in a major local newspaper of general circulation (see the [Public Notices](#) tool in the *Toolkit*). The Site Team also must inform the public when information repositories, which may house the administrative record, are created.
- **Hold a public comment period.** If appropriate, the Site Team shall provide a public comment period of no less than 30 days from the time that the administrative record file is made available for public inspection. A comment period is appropriate if cleanup activity is ongoing at the time the administrative record is made available for public inspection and if the comments received from the public are expected to affect future action at the site (see the [Public Comment Periods](#) tool in the *Toolkit*).
- **Prepare a responsiveness summary.** The Site Team must prepare a written response to significant comments and new data submitted during the public comment period. The responsiveness summary should be placed in the administrative record (see the [Responsiveness Summaries](#) tool in the *Toolkit*).

The role of the Agency spokesperson can be filled by the lead OSC, a CIC, another OSC, or any qualified field staff (see the [Spokesperson](#) tool in the *Toolkit*). Staff must coordinate with the OSC about all news releases or statements made by participating agencies.

Additional Activities for Time-Critical Removals Extending Beyond 120 Days

The NCP requires more community involvement and outreach activities during time-critical removals that are expected to extend beyond 120 days from the initiation of the removal. When the Site Team becomes aware that the removal action

will extend beyond 120 days, the NCP requires the Site Team to perform the following activities. These activities must be completed within 120 days of the initiation of the removal action:

- **Conduct community interviews.** The Site Team must conduct interviews with local officials, community residents, public interest groups, or other interested or affected parties to solicit their information needs and concerns, and determine how or when citizens would like to become involved in the Superfund process (see the [Community Interviews](#) tool in the *Toolkit*).
- **Prepare a Community Involvement Plan.** The Site Team must prepare a Community Involvement Plan (referred to as a “Community Relations Plan” in the NCP and previous guidance documents) based on the community interviews and other relevant information. The plan specifies the community involvement activities that the agency expects to undertake during the response (see the [Community Involvement Plan](#) tool in the *Toolkit*).
- **Establish an information repository.** The Site Team must establish at least one local information repository at or near the location of the response action. The information repository must contain the administrative record and other documents (see the [Information Repository](#) tool in the *Toolkit*). The information repository is meant to provide the public easier access to site-related documents. All items in the repository must be made available for copying.
- **Publish a notice of availability of the information repository.** The Site Team must inform the public of the information repository. If the Site Team knows that site work will extend beyond 120 days, it can publish a single public notice to announce the availability of both the information repository and the administrative record. (see the [Public Notices](#) tool in the *Toolkit*).

Additional Outreach Activities for Non-Time-Critical Removals

For non-time-critical removal actions, the NCP requires activities similar to those required for time-critical removals extending beyond 120 days, but they occur on a different schedule. The timing of community involvement and outreach events for non-time-critical removals depends upon the schedule for development and approval of the EE/CA. Activities must be performed prior to completion of the EE/CA, when it is approved, and after it is announced.

By the time the EE/CA approval memorandum is signed, the Site Team must:

- **Establish an information repository.** Establish at least one local information repository at or near the site so the public will have easy access to site-related information and documents. The information repository must contain the administrative record and other appropriate items, and these items must be available for copying (see the [Information Repository](#) tool in the *Toolkit*).
- **Publish a notice of availability of the information repository and administrative record.** The Site Team must notify the public of the availability of the administrative record and the information repository within 60 days of the initiation of on-site removal activity by publishing an announcement in a major local newspaper of general circulation (see the [Public Notices](#) tool in the *Toolkit*).

Prior to completion of the EE/CA, the Site Team must:

- **Conduct community interviews.** The Site Team must conduct interviews with local officials, community residents, public interest groups, or other interested or affected parties to solicit their concerns, information needs, and elicit how or when citizens would like to be involved in the Superfund process (see the [Community Interviews](#) tool in the *Toolkit*).

- **Prepare a Community Involvement Plan.** The Site Team must prepare a formal Community Involvement Plan based on the community interviews and other relevant information. The plan must specify the community involvement activities that EPA expects to undertake during the response (see the [Community Involvement Plans](#) tool in the *Toolkit*).

After completion of the EE/CA, the Site Team must:

- **Publish a notice of availability of the EE/CA.** The Site Team must publish a public notice of the availability and a brief description of the EE/CA in a major local newspaper (see the [Public Notices](#) tool in the *Toolkit*).
- **Hold a public comment period.** After the completion of the EE/CA, the Site Team must provide a public comment period of no less than 30 days for the submission of written and oral comments on the EE/CA. Upon timely request (defined as those the Agency receives approximately two weeks before the close of the comment period), the Site Team should extend the public comment period by a minimum of 15 days (see the [Public Comment Periods](#) tool in the *Toolkit*).
- **Prepare a responsiveness summary.** The Site Team must prepare a written response to significant written and oral public comments submitted during the public comment period. The responsiveness summary must be placed in the information repository (see the [Responsiveness Summaries](#) tool in the *Toolkit*).

RECOMMENDED OUTREACH ACTIVITIES FOR NON-TIME-CRITICAL REMOVALS

While conducting time-critical and non-time-critical removals, the Site Team may determine that additional community involvement and outreach activities should be performed to adequately meet the needs of the community. The OSC or the Site Team should consider:

- **Designating a communications leader**, such as a CIC, to advise the OSC on community

involvement activities and relieve the OSC of the responsibility of dealing with the media.

- **Preparing a communication strategy.** For time-critical removals extending beyond 120 days and for non-time-critical removals, the Community Involvement Plan serves as the communication strategy and plan for the response. For a shorter duration time-critical removal, the Site Team must develop an informal communications strategy to plan community involvement and outreach activities. A communication strategy can be as simple as a checklist.
- **Developing a checklist** to track community involvement activities and ensure activities are completed within the often chaotic schedule of a removal action. The checklist typically consists of three components:
 1. **People to contact**, including U.S. Senators and Representatives, mayors, newspapers, TV and radio stations, concerned citizens, and impacted residents.
 2. **Major site events and background information** that, at a minimum, includes information about the location of the release and how it was identified, what caused the release of hazardous substances, what hazardous substances are or are suspected to be present, the nature of the threat posed by the release, what action is planned, and what actions already have been conducted.
 3. **Community involvement activities that EPA will conduct.** These activities should be related to various target audiences (e.g., public officials, the media, and community residents) at a removal scene. This list should correspond to the CIP for the site.
- Distributing regular **Fact Sheets** to let residents know about EPA's response activities. These fact sheets should be site specific and brief, typically no more than two pages long. It is better to issue multiple fact sheets, each concerned with a single subject or message, than to issue a lengthy fact sheet with too many messages or too much information. Brief

fact sheets are read; longer ones usually are not (see the [Facts Sheets](#) tool in the *Toolkit*).

- Producing site-specific **Videos**. Videos allow residents to see what is happening and progress made at the site. They give residents a clear picture of site activity in ways that written materials cannot. These can be produced by a contractor and distributed to local news or cable stations. They also should be placed in the information repository (see the [Videos](#) tool in the *Toolkit*).
- Publicizing and hosting **Public Meetings** to deliver information to a large group of people, to let community members voice their concerns, and to foster interaction between the Site Team and the community. Be aware, however, that public meetings can be the least effective way of soliciting or distributing information. To ensure a public meeting is useful to both EPA and the community, consult the community when planning the meeting. If possible, let local residents plan the agenda and determine the time and location (see the [Public Meetings](#) tool in the *Toolkit*).
- Hosting **Public Availability/Poster Sessions** where EPA staff or other experts can discuss cleanup activities with residents. Another option is to display posters that describe cleanup activities and to have EPA staff available to answer questions. Posters also can be displayed in public areas, such as libraries or grocery stores (see the [Public Availability/Poster Sessions](#) tool in the *Toolkit*).
- Using **Informal Activities** such as unstructured community visits to give people a chance to meet EPA staff and to discuss the site in a relaxed atmosphere. This can be a very effective method for distributing information quickly, and sends the message that EPA wants to keep the community informed. One approach is to go to every home in a given area and talk with residents or distribute materials. Possible materials include fact sheets, updates, meeting notices, work schedules, and notices of

road closings or changes in traffic patterns. Since placing materials in mail boxes is against federal law, use door hangers to leave information (see the [Informal Activities](#) tool in the *Toolkit*).

- Making **Presentations** to brief local officials about the threat remaining at the site and the progress being made by EPA to address it (see the [Presentations](#) tool in the *Toolkit*).

At a removal site in California, EPA overcame considerable community resistance caused by a history of problems with state regulators and earlier missteps caused by inadequate development of its risk communication messages.

The Site Team mounted a proactive, energetic, and focused effort to reach out to the community, beginning with a strategy to engage the community. They offered workshops and poster sessions, made door-to-door visits, engaged in dialogue with focus groups, distributed easy to understand fact sheets, and established an Internet-based database of resources. Eventually, EPA facilitated a successful private buy-out deal between the site's PRPs and 65 residents.

Because of the attention and persistence, the Site Team's relationship with the community finally began to improve. The same community organizer who earlier criticized the Agency called the Community Involvement Coordinator "a genuine partner," and praised the commitment and motivation of the Site Team. Eventually, the community accepted compromise solutions based on an increasing trust in EPA. A Community Advisory Panel, organized by both EPA and the PRPs, is now focusing on land reuse options to be funded by the PRPs.

- Building an observation deck. Removals are especially conducive to the use of observation decks. These structures, built high and within exclusion zones, enable people to get a clear view of activities as they occur. An observation deck also can be used for site tours (see the [On-Site Activities](#) tool in the *Toolkit*).
- Using press briefings, and news releases. Most local stations will broadcast public service announcements related to sites. Many radio or TV stations also have live call-in shows on which the Site Team can appear. These outlets allow residents to speak with the Site Team and ask questions, and the Site Team can describe cleanup plans and progress. When working with the media, the Site Team needs to develop messages and repeat them frequently to ensure that important information is conveyed to the public (see the [Media](#) tool in the *Toolkit* and Chapter 7, “Dealing with the Media,” in this *Handbook*).
- Producing and distributing **Maps and Aerial Photographs**. Use existing photographs or maps, or take photographs. Use a digital camera if possible because the pictures can be printed immediately if a color printer is available. Digital pictures are easy to include in press briefings and fact sheets. Maps and photographs can be distributed to the media and the public or included in site fact sheets or other educational materials (see the [Maps and Aerial Photographs](#) tool in the *Toolkit*).
- Being prepared to expand the community involvement program if impacted residents and businesses have to be temporarily or permanently relocated. During relocations, the community involvement program needs to be expanded significantly to adequately inform and advise residents about relocation as well as to identify and address their unique needs and

concerns (see the [Residential Relocation](#) tool in the *Toolkit* and Chapter 9, “Community Involvement Activities During Residential Relocation,” in this *Handbook*).

- Establishing on-site information offices to collect and distribute information and interact with the public. These offices are a necessity at complex sites, especially those involving relocation of residents.
- Establishing a local or toll-free **Telephone Hotline** and publicizing its availability. The hotline can be staffed continually to respond immediately to questions, it can play taped announcements that provide updates on site activities, or it can permit callers to leave messages (see the [Telephone](#) tool in the *Toolkit*).
- Translating documents or providing translators, if a portion of the impacted residents are non-English speaking (see the [Translation Services](#) tool in the *Toolkit* for suggestions and approaches for obtaining translation services).
- Developing a risk communication approach that meets the needs of the community. Long-term removals require skilled risk communication and a willingness to work with frightened residents (see the [Risk Communication](#) tool in the *Toolkit* and Chapter 3 in this *Handbook*).

SUMMARY

Removal actions can be frightening to communities because they happen quickly. The key is to remember that removal actions are faster and more fluid than remedial actions. They allow less time for planning and require the Site Team to be flexible and responsive. It is in EPA’s best interest to involve citizens in every aspect of the action. Involving citizens early and sharing information can help ensure a safe and quick response action.

Appendix A

SUPERFUND COMMUNITY INVOLVEMENT REQUIREMENTS

The most current version of this publication is available at www.epa.gov/superfund

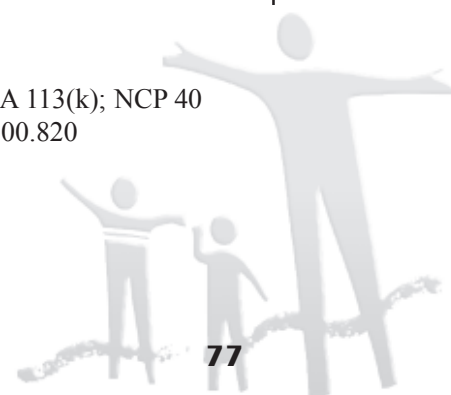
Community involvement requirements are presented below in a table that lists the requirements by site activity. The legislative citation is provided for each of the site activities. For a graphical presentation of the requirements, refer to the maps, “Community Involvement Activities Throughout the Superfund Removal Process” and “Community Involvement Throughout the Superfund Remedial Process,” found in the preface of this *Handbook*. These maps combine the list of required activities described below with a list of recommended activities to involve the community effectively.

The Site Team is responsible for ensuring that the Agency meets all of the legal and policy requirements relative to community involvement and for ensuring that the community has been given an opportunity to participate in the process. This table lists and describes the **minimum** community involvement requirements that EPA must conduct at a Superfund site. Simply fulfilling these requirements will not necessarily result in effective community involvement at a site. Rather, these requirements are intended to be the foundation for more comprehensive activities at sites.

“Don’t be afraid to go beyond the traditional community relations approach. Adapt your style and activities to the community.”

Mike Holmes, RPM, Region 8

Site Activity	Minimum Requirement(s)	Source(s)
Removal Actions		
Agency Spokesperson	In the case of all CERCLA removal actions taken pursuant to 300.415 or CERCLA enforcement actions to compel removal response, a spokesperson shall be designated by the lead agency. The spokesperson shall inform the community of actions taken, respond to inquiries, and provide information concerning news releases. All news releases or statements made by participating agencies shall be coordinated with the project manager. The spokesperson shall notify, at a minimum, immediately affected people, State and local officials and, when appropriate, civil defense or emergency management agencies.	The National Oil and Hazardous Substance Pollution Contingency Plan (NCP) 40 C.F.R. 300.415(n)(1)
Administrative Record	The lead agency must establish an administrative record and make the administrative record available to the public at a central location at or near the site.	CERCLA 113(k); NCP 40 C.F.R. 300.820



Site Activity	Minimum Requirement(s)	Source(s)
Removal Actions (continued)		
For Removal Actions With A Planning Period of Less Than Six Months		
Notice and Availability of Administrative Record	Within 60 days of the start of on-site removal activity, the lead agency must make the administrative record available to the public and issue a notice of availability in a major local newspaper.	NCP 40 C.F.R. 300.415(n)(2)(i) and 300.820(b)(1)
Public Comment Period	The lead agency must provide a public comment period, if appropriate, of not less than 30 days from the time the administrative record is made available.	NCP 40 C.F.R. 300.415(n)(2)(ii) 300.820(b)(2)
Response to Significant Comments	The lead agency must prepare a written response to significant comments.	NCP 40 C.F.R. 300.415(n)(2)(iii)
For Removal Actions Expected to Extend Beyond 120 Days		
Community Interviews	By the end of the 120-day period, the lead agency must conduct interviews with local officials, public interest groups, or other interested parties to determine their concerns and information needs, and to learn how citizens would like to be involved in the Superfund process.	NCP 40 C.F.R. 300.415(n)(3)(ii)
Community Involvement Plan (CIP)	The lead agency must prepare a formal CIP, based on community interviews and other relevant information, specifying the community involvement activities the lead agency expects to undertake during the response period. The lead agency must complete this CIP within 120 days of the start of on-site removal activity.	NCP 40 C.F.R. 300.415(n)(3)(iii)
Information Repository Establishment and Notification/Notice of Availability of Administrative Record	Within 120 days of the start of on-site removal activity, the lead agency must establish at least one information repository at or near the location of the removal action that contains items available for public inspection and copying. The lead agency must inform the public of the establishment of the information repository and provide notice of the administrative record in this repository.	NCP 40 C.F.R. 300.415(n)(3)(iii)

Site Activity	Minimum Requirement(s)	Source(s)
Removal Actions (continued)		
For Removal Actions With a Planning Period Of At Least Six Months		
Community Interviews and Community Involvement Plan (CIP)	The lead agency shall at a minimum comply with the requirements set forth in paragraphs (n)(3)(i), (ii), and (iii) of this section prior to completion of the Engineering Evaluation and Cost Analysis (EE/CA), or its equivalent, except that the information repository and the administrative record file will be established no later than when the EE/CA approval memorandum is signed. (Essentially, EPA must conduct community interviews and prepare a CIP prior to the completion of the EE/CA.)	NCP 40 C.F.R. 300.415(n)(4)(i)
Information Repository/ Administrative Record Establishment and Notification	The lead agency must establish the information repository and make the administrative record available no later than the signing of the EE/CA approval memorandum.	NCP 40 C.F.R. 300.415(n)(4)(i)
Notice of Availability/ Description of the EE/CA	The Agency must publish a notice of availability and a brief description of the EE/CA in a major local newspaper of general circulation.	NCP 40 C.F.R. 300.415(n)(4)(ii) 300.820(a)(1)
Public Comment Period	Upon completion of the EE/CA, the lead agency must provide at least 30 days for the submission of written and oral comments. The lead agency must extend this comment period by at least 15 days upon timely request.	NCP 40 C.F.R. 300.415(n)(4)(iii) 300.820(a)(2) 300.825(b) and (c)
Responsiveness Summary	The Agency must prepare a written response to significant comments and make this responsiveness summary available to the public in the information repository.	NCP 40 C.F.R. 300.415(n)(iv)



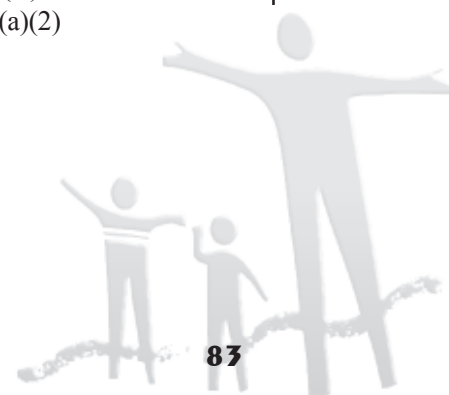
Site Activity	Minimum Requirement(s)	Source(s)
Remedial Actions		
NPL Additions		
Publication of Proposed Rule and Public Comment Period	EPA must publish the proposed rule in the <i>Federal Register</i> and seek comments through a public comment period.	NCP 40 C.F.R. 300.425(d)(5)(i)
Publication of Final Rule and Response to Comments	EPA must publish the final rule in the <i>Federal Register</i> and respond to significant comments and significant new data submitted during the comment period.	NCP 40 C.F.R. 300.425(d)(5)(i)
Prior to Remedial Investigation (RI):		
Community Interviews	The lead agency must conduct interviews with local officials, public interest groups, and community members to solicit their concerns and information needs and to learn how and when people would like to be involved in the Superfund process.	NCP 40 C.F.R. 300.430(c)(2)(i)
Community Involvement Plan (CIP)	Before commencing field work for the remedial investigation, the lead agency must develop and approve a complete CIP, based on community interviews and other relevant information, specifying the community involvement activities that the lead agency expects to undertake during the remedial response.	NCP 40 C.F.R. 300.430(c)(2)(ii) (A-C)
Information Repository	The lead agency must establish at least one information repository at or near the location of the response action. Each information repository should contain a copy of items developed, received, published, or made available to the public, including information that describes the Technical Assistance Grant application process. The lead agency must make these items available for public inspection and copying and must inform interested citizens of the establishment of the information repository.	CERCLA 117(d) NCP 40 C.F.R. 300.430(c)(2)(iii)

Site Activity	Requirement(s)	Source(s)
Remedial Actions (continued)		
Technical Assistance Grant (TAG) Notification	The lead agency must inform the public of the availability of Technical Assistance Grants and include in the information repository material that describes the Technical Assistance Grant application process.	NCP 40 C.F.R. 300.430(c)(2)(iv)
Upon Commencement of Remedial Investigation:		
Administrative Record	The lead agency must establish an administrative record, make it available for public inspection, and publish a notice of its availability. The lead agency must comply with the public participation procedures required in 300.430(f)(3) and shall document such compliance in the administrative record.	CERCLA 113(k); NCP 40 C.F.R. 300.815 (a-c)
Administrative Record Notification	The lead agency must publish a notice of availability of the administrative record in a major local newspaper of general circulation.	NCP 40 C.F.R. 300.815(a)
Upon Completion of the Feasibility Study (FS) and Proposed Plan:		
RI/FS and Proposed Plan Notification and Analysis	The lead agency must publish a notice of the availability of the RI/FS and Proposed Plan, including a brief analysis of the Proposed Plan, in a major local newspaper of general circulation. The notice also must announce a comment period.	CERCLA 117(a) and (d); NCP 40 C.F.R. 300.430(f)(3)(i)(A)
Public Comment Period on RI/FS and Proposed Plan	The lead agency must provide at least 30 days for the submission of written and oral comments on the Proposed Plan and supporting information located in the information repository, including the RI/FS. This comment period will be extended by a minimum of 30 additional days upon timely request.	CERCLA 117(a)(2); NCP 40 C.F.R. 300.430(f)(3)(c)



Site Activity	Minimum Requirement(s)	Source(s)
Remedial Actions (continued)		
Public Meeting	The lead agency must provide an opportunity for a public meeting regarding the Proposed Plan and supporting information to be held at or near the site during the comment period.	CERCLA 113 and 117(a)(2); NCP 40C.F.R. 300.430(f)(3)(i)(D)
Meeting Transcript	The lead agency must have a court reporter prepare a meeting transcript that is made available to the public.	CERCLA 117(a)(2); NCP 40 C.F.R. 300.430(f)(3)(i)(E)
Notice and Comment Period for Settlement Agreements	A notice of a proposed settlement must be published in the <i>Federal Register</i> at least 30 days before the agreement becomes final. This notice must state the name of the facility and the parties to the proposed agreement. Those persons who are not parties to the agreement must be provided an opportunity to file written comments for a period of 30 days.	CERCLA 122; NCP 40 C.F.R. 300.430(c)(5)(i) and (ii)
Pre-Record of Decision Significant Changes:		
Responsiveness Summary	The lead agency must prepare a response to significant comments, criticisms, and new data submitted on the Proposed Plan and RI/FS, and ensure that this response document accompanies the Record of Decision (ROD).	CERCLA 113 and 117(b); NCP 40C.F.R. 300.430(f)(3)(i)(F)
Discussion of Significant Changes	The lead agency must include in the ROD a discussion of significant changes and the reasons for such changes, if new information is made available that significantly changes the basic features of the remedy and the lead agency determines that the changes could be reasonably anticipated by the public.	NCP 40 C.F.R. 300.430(f)(3)(ii)(A)

Site Activity	Minimum Requirement(s)	Source(s)
Remedial Actions (continued)		
Revised Proposed Plan and Public Comment	Upon the lead agency's determination that such changes could not have been reasonably anticipated by the public, the Agency must issue a revised Proposed Plan that includes a discussion of the significant changes and the reasons for such changes. The Agency must seek additional public comment on the revised Proposed Plan.	NCP 40 C.F.R. 300.430(f)(3)(ii)(B)
After the ROD is signed:		
ROD Availability and Notification	The lead agency must make the ROD available for public inspection and copying at or near the site prior to the commencement of any remedial action. Also, the lead agency must publish a notice of the ROD's availability in a major local newspaper of general circulation. The notice must state the basis and purpose of the selected action.	NCP 40 C.F.R. 300.430(f)(6)
Revision of the CIP Site Activity	Prior to remedial design, the lead agency should revise the CIP, if necessary, to reflect community concern, as discovered during interviews and other activities, that pertain to the remedial design and construction phase.	NCP 40 C.F.R. 300.435(c)(1)
Post-ROD Significant Changes:		
When the remedial or enforcement action, or the settlement or consent decree, differs significantly from the remedy selected in the ROD with respect to scope, performance, or cost:		
Notice and Availability of Explanation of Significant Differences	The lead agency must publish a notice that briefly summarizes the explanation of significant differences (ESD) and the reasons for such differences in a major local newspaper, and make the explanation of significant differences and supporting information available to the public in the administrative record and information repository.	NCP 40 C.F.R. 300.435(c)(2)(i) (A) and (B) 300.825(a)(2)



Site Activity	Minimum Requirement(s)	Source(s)
Remedial Actions (continued)		
When the remedial or enforcement action, or the settlement or consent decree, fundamentally alters the basic features of the selected remedy with respect to scope:		
Notice of Availability/ Brief Description of Proposed ROD Amendment	The lead agency must propose an amendment to the ROD and issue a notice of the proposed amendment in a major local newspaper of general circulation.	NCP 40 C.F.R. 300.435(c)(2) (ii)(A)
Public Comment Period, Public Meeting, Meeting Transcript, and Responsiveness Summary	The lead agency must follow the same procedures for notice and comment as those required for completion of the feasibility study (FS) and Proposed Plan.	NCP 40 C.F.R. 300.435(c)(2)(ii) (B)-(F)
Notice and Availability of Amended ROD	The lead agency must publish a notice of availability of the amended ROD in a major local newspaper and make the amended ROD and supporting information available for public inspection and copying in the administrative record and information repository prior to commencement of the remedial action affected by the amendment.	NCP 40 C.F.R. 300.435(c)(2)(ii) (G) and (H) 300.825(b)
Remedial Design:		
Fact Sheet and Public Briefing	Upon completion of the final engineering design, the lead agency must issue a fact sheet and provide a public briefing, as appropriate, prior to beginning remedial action.	NCP 40 C.F.R. 300.435(c)(3)

Site Activity	Minimum Requirement(s)	Source(s)
Remedial Actions (continued)		
NPL Deletions:		
Public Notice and Public Comment Period	EPA is required to publish a notice of intent to delete in the <i>Federal Register</i> and provide notice of the availability of this announcement in a major local newspaper. EPA must also provide a comment period of at least 30 days on the proposed deletion.	NCP 40 C.F.R. 300.425(e)(4) (i) and (ii)
Public Access to Information	Copies of information supporting the proposed deletion must be placed in the information repository for public inspection and copying.	NCP 40 C.F.R. 300.425(e)(iii)
Response to Significant Comments	EPA must respond to each significant comment and any significant new data submitted during the comment period and include these responses in the final deletion package.	NCP 40 C.F.R. 300.425(e)(iv)
Availability of Final Deletion Package	The final deletion package must be placed in the local information repository once the notice of final deletion has been published in the <i>Federal Register</i> .	NCP 40 C.F.R. 300.425(e)(5)

